

STATE OF NEVADA



COMMISSION ON ETHICS

**COMMISSION PANEL DETERMINATION
REGARDING JUST AND SUFFICIENT CAUSE
NRS 281.511(3)**

COMMISSION PANEL: TIMOTHY CASHMAN AND RICK HSU

**IN THE MATTER OF THE REQUEST FOR OPINION
CONCERNING THE CONDUCT OF
Gary Waters, Former Member
Nevada State Board of Education**

**Request for Opinion
No. 06-30**

On May 21, 2007, pursuant to NRS 281.462, a Commission Panel reviewed the Executive Director's Report and Recommendation Regarding Just and Sufficient Cause, the request for opinion, and all related documents. The Panel determined that just and sufficient cause exists for the Commission to hold a hearing and render an opinion on the allegations that Mr. Waters violated the provisions of NRS 281.501(2) and NRS 281.501(4).

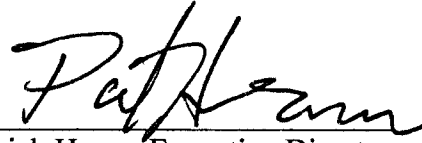
Specifically, the Panel determined that just and sufficient cause exists for the Commission to hold a hearing and render an opinion regarding whether Mr. Waters violated:

- NRS 281.501(4), at the March, April and June 2006 Nevada State Board of Education meetings, by failing to publicly disclose his business relationship with the Center for Health and Learning, at the time proposed standards for supplemental mental health and suicide prevention education programs, a matter that would affect the Center, were being considered by the board.
- NRS 281.501(2), at the March, April and June 2006 Nevada State Board of Education meetings, by acting on the issue of proposed standards for supplemental mental health and suicide prevention education programs, a matter that would affect the Center for Health and Learning, an entity to which Mr. Waters had a private commitment.

The Panel also determined that just and sufficient cause does not exist for the Commission to hold a hearing and render an opinion on the allegations that Mr. Waters violated the provisions of NRS 281.481(2) and NRS 281.481(7) at the March, April and June 2006 Nevada State Board of Education meetings. Those allegations are dismissed.

The Request for Opinion is, therefore, REFERRED TO THE NEVADA COMMISSION ON ETHICS, and is scheduled for hearing on Wednesday, September 12, 2007 at 10:30 a.m. at the Legislative Counsel Bureau, Grant Sawyer State Office Building, Room 4401, 555 E. Washington Avenue, Las Vegas, Nevada.

DATED: June 12, 2007


L. Patrick Hearn, Executive Director

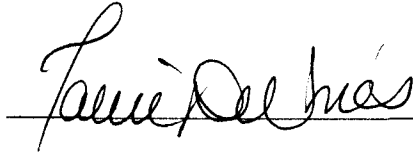
CERTIFICATE OF MAILING

I certify that I am an employee of the Nevada Commission on Ethics and that on this day at Las Vegas, Nevada, I placed a true and correct copy of the Commission Panel Determination Regarding Just and Sufficient Cause in an envelope and deposited same to be delivered via Certified Mail Return Receipt Requested, through the State of Nevada Mailroom, addressed as follows:

Gary Waters
8452 Boseck Drive #179
Las Vegas, NV 89145

Cert. No. 7006 3450 0002 1589 7087

Dated: 6/13/07


An employee of the
Nevada Commission on Ethics